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RECEIVED

September 14, 1993

SEP 1 4 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton Acting Secretary Federal Communications Commission Washington, D.C. 20554

Re: Amendment of Section 73.202(b),

FM Table of Allotments /

Prosser, Walla Walla and Waitsburg, Washington (MM Docket No. 93-201; RM-8213; RM-8252)

Dear Mr. Caton:

Transmitted herewith on behalf of Walla Walla Christian Broadcasters is an original and four copies of its reply comments in connection with the above-referenced rule making proceeding. These reply comments are respectfully directed to the Chief, Allocations Branch.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,

ohn F. Garziglia

Enclosures

## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Prosser, Walla Walla and Waitsburg, Washington).

MM Docket No. 93-201 RM-8213

RM-8252

To: Chief, Allocations Branch

## REPLY COMMENTS

Walla Walla Christian Broadcasters, by its attorneys, pursuant to the Notice of Proposed Rule Making, DA 93-774, released July 8, 1993, hereby submits its reply comments in this proceeding.  $\mathcal{V}$  In support thereof, the following is submitted:

1. Walla Walla Christian Broadcasters, by a counterproposal filed August 30, 1993, proposed the allotment of Channel 270C2 to Waitsburg, Washington. 2/ By comments received at the Commission on August 27, 1993, Brett E. Miller restated his interest in the allotment of first local transmission service to Waitsburg, Washington. Assuming that Brett E. Miller continues to have an interest in first local transmission service at Waitsburg, it is submitted that Channel 270C2 should be allotted to Waitsburg, Washington, as proposed in the August 30, 1993 Comments and Counterproposal of Walla Walla Christian Broadcasters.

LISTABCDE

Under the Notice of Proposed Rule Making, reply comments were to be filed on or before September 14, 1993.

Alternately, Walla Walla Christian Broadcasters proposed the allotment of Channel 270C2 to Walla Walla in the event that Brett E. Miller does not have a continuing interest in Waitsburg.

2. It is the Commission's stated policy to allot the highest class of channel available to a community for which an interest is expressed. See First Report and Order (MM Docket No. 84-231), 50 Fed. Reg. 3514, released January 25, 1985; Bella Vista, Arkansas, MM Docket 86-219, MM-4988, released June 10, 1986. Walla Walla Christian Broadcasters has proposed that Channel 270C2 be allotted in lieu of Channel 270C3. This proposal should be granted as it is in accord with Commission policy. 3/

WHEREFORE, for the reasons above, the allotment of Channel 270C2 to Waitsburg, Washington; and the allotment of Channel 256A to Walla Walla, Washington, is respectfully requested.

Respectfully submitted,

WALLA WALLA CHRISTIAN BROADCASTERS

By:

Jøhn F. Garziglia

Its Attorney

Pepper & Corazzini 1776 K Street, N.W. Suite 200 Washington, D.C. 20006 (202) 296-0600

September 14, 1993

<sup>3/</sup> The allotment of Channel 270C2 to Waitsburg will require a substitution of Channel 255C3 for Channel 269C3 at Prosser, Washington, with a modification of the facilities of KZXR(FM), Prosser, Washington to specify operation on Channel 255C3, as described in the August 30, 1993 Comments and Counterproposal of Walla Walla Christian Broadcasters.

## CERTIFICATE OF SERVICE

I, Tracey Westbrook, a secretary in the law firm of Pepper & Corazzini, do hereby certify that true copies of the foregoing Reply Comments were sent this 14th day of September, 1993, by first class U.S. mail, postage prepaid, to the following:

Brett E. Miller 11608 Blossomwood Court Moorpark, California 93021

Bogart-Funk Enterprises, Inc.
KZXR(FM)
1227 Hillcrest Drive
Prosser, Washington 99350
[Licensee of KZXR(FM), Prosser, Washington]

John F. Garziglia, Esquire Pepper & Corazzini 1776 K Street, N.W. Suite 200 Washington, D.C. 20006 (Counsel to KHSS, Inc.)

Tracey Westbrook